

Department of Community Planning and Economic Development
Rezoning, Conditional Use Permit and Variances
BZZ-6336

Date: December 2, 2013

Applicant: Donna Sanders

Addresses of Property: 711 15th Avenue NE, 1529 ½ and 1531 Monroe Street NE

Project Name: Solar Arts Building

Contact Person and Phone: Donna Sanders, (612) 703-4092

CPED Staff and Phone: Shanna Sether, (612) 673-2307

Date Application Deemed Complete: November 7, 2013

End of 60-Day Decision Period: January 6, 2014

End of 120-Day Decision Period: March 7, 2014 (*Staff sent an extension letter on November 22, 2013*)

Ward: 1 **Neighborhood Organization:** Logan Park Neighborhood Association

Existing Zoning: 711 15th Avenue NE: I1 Light Industrial District and IL Industrial Living Overlay District; 1529 ½ and 1531 Monroe Street NE: R2B Two Family District

Proposed Zoning: 1529 ½ and 1531 Monroe Street NE to R2B Two-Family District and TP Transitional Parking Overlay District

Zoning Plate Number: 9 and 10

Legal Description: Lot 1, except the Northerly 120 feet thereof and all of the Lots 2, 3 and 4, Block 1, Walton's Quincy Street Addition to Minneapolis, Minnesota (including also an alley running East and West lying North of said Lots 2, 3 and 4 and South of said Lot 1, vacated by the City Council of the City of Minneapolis) and also all that part of Lot 8, Auditor's Subdivision No. 29, Hennepin County Minnesota an Addition to Minneapolis, which lies Easterly of said Lots 1 and 2, Block 1, said Walton's Quincy Street Addition to Minneapolis, Minnesota, and Northerly of the North line of 15th Avenue Northeast in City of Minneapolis, Except all those parts or parcels of Lot 8, Auditor's Subdivision No. 29, Hennepin Co., Minnesota and of Lot 1, Block 1, Walton's Quincy Street Addition to Minneapolis, bounded and described as follows, to-wit: Beginning at a point on East line of said Lot 8, distant North 63.6 feet from North line of 15th Avenue Northeast, City of Minneapolis, running thence North along East line of said Lot 8, 36 feet, more or less, to Southwesterly boundary line of the right of way of said railway company, being a line parallel to and distant Southwesterly 50 feet from the center line of the railway of said railway company, as originally located and established; thence Northwesterly along said right of way boundary line, 110 feet to a point; thence Southeasterly in a direct line 143.1 feet, more or

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less, to point beginning, according to the recorded plat thereof, and situate in Hennepin County, Minnesota.

AND

That part of Lot One (1), North of a line parallel with and 120 feet South of the North Line of Lot One (1), including vacated alley running North and South and adjoining said part of the North 120 feet thereof; all in Walton's Quincy Street Addition to Minneapolis, Minnesota.

AND

Lots 12 and 13 and also that part of Lot 11 lying North of the South 20 feet thereof, all in Block 1, Walton's Quincy Street Addition to Minneapolis, Minnesota, Hennepin County Minnesota.

Proposed Use: New reception or meeting hall within an existing commercial building and a new accessory parking lot.

Concurrent Review:

- Petition to rezone 1529 1/2 and 1531 Monroe Street NE from R2B Two-Family District to R2B Two-Family District and TP Transitional Parking Overlay District.
- Conditional use permit to allow a surface parking lot located at 1529 1/2 and 1531 Monroe Street NE serving customers and employees of the Solar Arts Building located at 711 15th Avenue NE.
- Variance to reduce the front yard required setback along Monroe Street NE from 20 feet to approximately 4 feet to allow for a new surface parking located at 1529 1/2 and 1531 Monroe Street NE.
- Variance of the Transitional Parking Overlay District standards requiring that the width of the parking not exceed seventy-five (75) feet.
- Variance of the Transitional Parking Overlay District standards requiring that the parking lot be closed with a secured gate or other appropriate mechanism between the hours of 10:00 p.m. and 6:00 a.m.
- Variance of the Transitional Parking Overlay District standards requiring that the parking lot be landscaped and screened pursuant to the provisions of Chapter 530, Site Plan Review.
- Variance to increase the maximum amount of impervious surface allowed in the R2B district to allow for a new surface parking lot located at 1529 1/2 and 1531 Monroe Street NE.
- Variance to reduce the required off-street parking requirement to allow for a new reception or meeting hall within an existing building.

Applicable zoning code provisions: Chapter 525, Article VI, Zoning Amendments, Chapter 525, Article VII, Conditional Use Permits, Chapter 525, Article IX, Variances, Chapter 530 Site Plan Review, Chapter 541 Off-Street Parking and Loading, Chapter 550, Industrial Districts and Chapter 551 Overlay Districts

Background: The Solar Arts Building is located at 711 15th Avenue NE and is approximately 31,237 square feet in area. The site is located at the north end of Quincy Street NE at 15th Avenue NE. The property is zoned I1 Light Industrial District and IL Industrial Living Overlay District. The existing

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structure was permitted for construction in 1913, as a brick furnace factory. The structure is currently occupied by Indeed Brewery, a limited production and processing use with a tap room on the first floor and artist studios on the second floor. The applicant is proposing to add a coffee shop to the first floor. The existing third floor of the structure is being used as storage space. The applicant is proposing to convert the existing third floor to a reception or meeting hall, a permitted use in the IL Industrial Living Overlay District. The property has an accessory surface parking lot with approximately 28 off-street parking stalls and all of the existing uses meet the minimum off-street parking requirement. The proposed reception or meeting hall will be 6,713 square feet and have a maximum occupancy of 450 persons. The minimum off-street parking requirement for a reception or meeting hall is 30% of the maximum occupancy or 135 spaces.

The property owner also owns property at 1529 ½ and 1531 Monroe Street NE. These properties are zoned R2B Two-Family District. In order to meet the additional parking demand, the applicant has proposed to construct an accessory parking lot at 1529 ½ and 1531 Monroe Street NE to provide parking for the employees and customers of the Solar Arts Building. The proposed accessory parking lot is located in the R2B Two-Family District and accessory parking for a commercial building is use is prohibited. Therefore, the applicant has applied to rezone these two parcels to add the TP Transitional Parking Overlay District. In addition, accessory parking lots for customers and employees are conditional uses in the TP Overlay District and a conditional use permit is required. The applicant is intending to allow for 38 standard sized and 19 compact parking spaces in the accessory parking lot; six of which are located in the required front yard setback along Monroe Street NE; the applicant has applied for variance to reduce the front yard setback to allow for parking area. There are several standards in the TP Overlay which the proposed site plan does not comply with and the applicant is seeking to vary the following standards: (1) requiring the width of the parking lot not exceed seventy-five (75) feet; (2) requiring that the parking lot be closed with a secured gate or other appropriate mechanism between the hours of 10:00 p.m. and 6:00 a.m.; (3) requiring that the parking lot be landscaped and screened pursuant to the provisions of Chapter 530, Site Plan Review. The R2B District requires a maximum impervious surface of 65%. The existing properties and the proposed parking lot would have 80% impervious surface and the applicant is seeking a variance to increase the maximum allowed in the R2B District.

The applicant has prepared a Travel Demand Management Plan (TDMP) to address the possible traffic demands of the existing uses and proposed reception or meeting hall. The TDMP analyzed the available locations for off-street parking, availability of on-street parking within walking distance of the property and transportation alternatives including valet service, transit, bicycling and walking. In addition to providing the proposed parking lot, the applicant has an existing shared parking agreement with the property owner of Johnson Paper at 806 14th Avenue NE to use 31 stalls during their business off-hours. Finally, the applicant has an agreement with Hillcrest Development, the owners of 1100-1112 Quincy Street NE, to use the existing surface parking lot with 227 parking spaces for valet parking. The TDMP identifies that the valet parking use will be triggered with events at the proposed reception or meeting hall with occupancy of 270 people or more. The TDMP has additional provisions including designation of a transportation coordinator, providing free valet service and auditing of the transportation measure outlined in the Plan six (6) and twelve (12) months after the opening of the rental hall.

The total required off-street parking for the existing and proposed uses at the Solar Arts Building is 162

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stalls. The applicant is proposing to modify the existing parking lot at 711 15th Avenue NE to provide additional accessible parking and a total of 25 stalls. The shared parking agreement allows for 31 stalls. The proposed parking lot at 1529 ½ and 1531 Monroe Street NE would create 57 additional stalls. Therefore, the applicant is seeking a variance to reduce the minimum off-street parking requirement from 162 stalls to 113 stalls.

Staff has received a letter from the Logan Park Neighborhood Association and it is attached to the staff report. Staff will forward additional comments, if any are received, at the City Planning Commission meeting.

REZONING: Petition to rezone 1529 1/2 and 1531 Monroe Street NE from R2B Two-Family District to R2B Two-Family District and TP Transitional Parking Overlay District.

Findings as required by the Minneapolis Zoning Code for the rezoning petition:

1. Whether the amendment is consistent with the applicable policies of the comprehensive plan.

The property located at 1529 ½ Monroe Street NE is designated as transitional industrial and 1531 Monroe Street NE is designated as urban neighborhood on the future land use map. Transitional Industrial areas are designated industrial areas located outside of Industrial Employment Districts and are labeled “transitional” since they may eventually evolve to other uses compatible with surrounding development. Although they may remain industrial for some time, they will not have the same level of policy protection as areas within industrial districts. The urban neighborhood designation is predominantly residential with a range of densities, with highest densities generally to be concentrated around identified nodes and corridors. May include undesignated nodes and some other small-scale uses, including neighborhood-serving commercial and institutional and semi-public uses (for example, schools, community centers, religious institutions, public safety facilities, etc.) scattered throughout.

Land Use Policy 1.1: Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan.

1.1.4 Support context-sensitive regulations for development and land use, such as overlay districts, in order to promote additional land use objectives.

1.1.5 Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.

Land Use Policy 1.2: Ensure appropriate transitions between uses with different size, scale, and intensity.

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- 1.2.3 Lessen the negative impacts of non-residential uses on residential areas through controls on noise, odors, and hours open to the public.

Land Use Policy 1.3: Ensure that development plans incorporate appropriate transportation access and facilities, particularly for bicycle, pedestrian, and transit.

- 1.3.1 Require safe, convenient, and direct pedestrian connections between principal building entrances and the public right-of-way in all new development and, where practical, in conjunction with renovation and expansion of existing buildings.
- 1.3.2 Ensure the provision of high quality transit, bicycle, and pedestrian access to and within designated land use features.

Policy 1.4: Develop and maintain strong and successful commercial and mixed use areas with a wide range of character and functions to serve the needs of current and future users.

- i. Support a variety of commercial districts and corridors of varying size, intensity of development, mix of uses, and market served.
- ii. Promote standards that help make commercial districts and corridors desirable, viable, and distinctly urban, including: diversity of activity, safety for pedestrians, access to desirable goods and amenities, attractive streetscape elements, density and variety of uses to encourage walking, and architectural elements to add interest at the pedestrian level.
- iii. Continue to implement land use controls applicable to all uses and structures located in commercial districts and corridors, including but not limited to maximum occupancy standards, hours open to the public, truck parking, provisions for increasing the maximum height of structures, lot dimension requirements, density bonuses, yard requirements, and enclosed building requirements.
- iv. Continue to encourage principles of traditional urban design including site layout that screens off-street parking and loading, buildings that reinforce the street wall, principal entrances that face the public sidewalks, and windows that provide “eyes on the street”.

Staff comment: The proposed rezoning will allow for a surface parking lot to be established and provide off-street parking for an adjacent commercial building. The proposed parking will assist in the reuse of an existing industrial building, as called for in the comprehensive plan. The design of the parking lot complies with the landscaping and screening requirements of Chapter 530, Site Plan Review, and provides an adequate transition to the residential uses south of the site. The rezoning is consistent with the policies of the comprehensive plan.

- 2. Whether the amendment is in the public interest and is not solely for the interest of a single property owner.**

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A rezoning to add the TP Transitional Parking Overlay District would be considered in the interest of both the property owner and the public as it would allow for the provision of needed parking for existing and proposed permitted commercial uses. Establishing a surface parking lot will alleviate congestion in the public street by providing a surface lot for a use that has a higher parking demand.

- 3. Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property.**

The properties at 1529 ½ and 1531 Monroe Street NE are zoned R2B Two-Family District. The area south and east of the site is low-density residential, industrial and commercial. To the north there is vacant property. To the west are low- and medium-density residential and institutional uses. The Solar Arts Building was permitted for construction in 1913 and currently contains a limited production and processing use with a tap room and artist studios. The applicant is proposing to add a coffee shop and reception or meeting hall. The adjacent residential uses on the block are across the alley to the south of the subject property. With adequate transition and landscaping and screening of the proposed parking lot, the Transitional Parking Overlay District would be compatible with the zoning and uses of surrounding properties.

- 4. Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of particular property.**

The primary zoning classification is R2B and that would remain unchanged as part of this project. The R2B district would allow a single- or two-family dwelling or a place of assembly on this site. The existing land use for 1531 Monroe Street NE is a two-family dwelling, which is not a potential historic resource.

- 5. Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of particular property.**

This triangular-shaped block was zoned Light Industrial from 1924 to 1963. The block was zoned M1-2 Light Manufacturing District from 1963 to 1999. Industrial zoning remained on the Solar Arts Building property, but the remainder of the block was rezoned to R2B Two-Family District in 1999. According to City records it appears as though the parcel 1529 ½ Monroe Street NE has historically been associated with the Solar Arts Building at 711 15th Avenue NE and accessory structures to the building still exist on the property. The original structure at 1531 Monroe Street NE was an office building, constructed in 1909, and was replaced with a garage in 1987. A residential dwelling was added to the property in 1910. This structure was later converted to a two-family dwelling. Staff has analyzed the existing structure at 1531 Monroe Street NE and determined that it is not a potential historic resource. The proposed rezoning

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would allow for a legally established surface parking on a site both properties that have historically been associated with an adjacent commercial and industrial uses.

CONDITIONAL USE PERMIT: to allow a surface parking lot located at 1529 ½ and 1531 Monroe Street NE serving customers and employees of the Solar Arts Building located at 711 15th Avenue NE.

Findings as required by the Minneapolis Zoning Code:

The Community Planning and Economic Development Planning Division has analyzed the application and from the findings above concludes that the establishment, maintenance, or operation of the proposed conditional use:

1. Will not be detrimental to or endanger the public health, safety, comfort or general welfare.

A surface parking lot that complies with the applicable landscaping and screening standards of Chapter 530, Site Plan Review will not be detrimental to or endanger the public health, safety, comfort or general welfare. Establishing a surface parking lot will alleviate congestion in the public street by providing a surface lot for a use for existing commercial uses and a new commercial use that has a higher parking demand, as determined by the zoning code.

2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.

The property is south of a vacant parcel and west of a rail line owned and operated by the Santa Fe Railroad. The properties to the south and east of the properties are fully developed area. With the required landscaping and screening, the parking lot serving customers and employees of the Solar Arts Building is not expected to be injurious to the use and enjoyment of other property in the vicinity nor should it impede on possible future development. The area includes a mix of uses, including low-density residential, institutional, industrial, commercial and vacant property. The Solar Arts Building was permitted for construction in 1913 and currently contains a limited production and processing use with a tap room and artist studios. The applicant is proposing to add a coffee shop and reception or meeting hall. There is one existing curb cut that accesses the detached garage at 1531 Monroe Street NE. The proposed site plan would close the existing curb cut and construct two new curb cuts to allow for one-way traffic through the proposed parking lot; staff is recommending that the applicant provide signage indicating the traffic direction through the site. The proposed parking lot would allow for 57 parking stalls, as proposed by the applicant. Staff is recommending compliance with the minimum landscaped yard along the front property line, adjacent to Monroe Street NE. This would require the removal of three proposed stalls. Additionally, the applicant and staff are recommending a landscaped yard, hedge and screening fence along the south property line to guide pedestrian traffic to the walkway at the east corner of the property or to the public sidewalk along Monroe Street NE, instead of the public alley.

3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.

The site is served by existing infrastructure and would be accessed from two new curb cuts on Monroe Street NE to encourage one-way traffic through the parking lot. Staff is recommending that the applicant provide directional signage for vehicle traffic through the site. As proposed, traffic would enter at the north curb cut and exit via the south curb cut, both along Monroe Street NE. The Public Works Department will review the plans as part of the Preliminary Development Review process and will review the final plans for compliance with standards related to access and circulation, drainage, infiltration and sewer/water connections. The applicant is proposing to utilize stormwater management techniques through a series of rain garden (infiltration basins) located in two parking lot islands, as well as, a landscaped yard along the entire south side of the parking lot adjacent to the public alley. This landscaped yard is nine feet two inches wide by 110 feet long and is designed to catch and infiltrate stormwater that currently runs directly into the alley. Rain Gardens are planted with native mesic/wet prairie plant species. A catch basin inlet is proposed at the northern driveway entry excess stormwater cannot be infiltrated prior to leaving the site, as required by Public Works. The catch basin inlet is proposed to connect to the storm sewer in public street. All planted areas are native short grass and woodland edge prairie with trees running continuous along the property perimeter to mitigate stormwater impact and enhance infiltration. The applicant would be required to work closely with the Public Works Department and the building code Plan Review during the duration of the development should the plan be approved. This would be required to ensure that all procedures are followed in order to comply with city and other applicable requirements.

4. Adequate measures have been or will be provided to minimize traffic congestion in the public streets.

The applicant has prepared a Travel Demand Management Plan (TDMP) to address the possible traffic demands of the existing uses and proposed reception or meeting hall. The TDMP analyzed the available locations for off-street parking, availability of on-street parking within walking distance of the property and transportation alternatives including valet service, transit, bicycling and walking. In addition to providing the proposed parking lot, the applicant has an existing shared parking agreement with the property owner of Johnson Paper at 806 14th Avenue NE to use 31 stalls during their business off-hours. Finally, the applicant has an agreement with Hillcrest Development, the owners of 1100-1112 Quincy Street NE, to use the existing surface parking lot with 227 parking spaces for valet parking. The TDMP identifies that the valet parking use will be triggered with events at the proposed reception or meeting hall with occupancy of 270 people or more. Staff has analyzed the proposed TDMP and determined that events between 0-285 occupants operating at the same time as the other uses in the building will have sufficient off-street parking per the zoning code and valet parking is required to be provided for occupancies of 270 people or more. Therefore, staff finds adequate measures will be provided to minimize traffic congestion in the public streets.

5. Is consistent with the applicable policies of the comprehensive plan.

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See Finding #1 under Rezoning.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of this conditional use permit.

Surface parking lots in the TP, Transitional Parking Overlay district are subject to the following additional requirements:

- The width of the parking lot shall not exceed seventy-five (75) feet.

Staff comment: The parking lot is 100 feet wide; the width of the existing parcel at 1531 Monroe Street NE. The applicant has applied for a variance of the TP Overlay District standards to allow the increase in the maximum width of a parking lot from seventy-five (75) feet to one hundred (100) feet.

- The use of the parking lot shall be restricted to the parking of passenger automobiles only. No commercial vehicles shall be parked or stored.

Staff comment: The parking lot is intended to be used for employee and customer parking for the Solar Arts Building only.

- The parking lot shall be closed with a secured gate or other appropriate mechanism between the hours of 10:00 p.m. and 6:00 a.m., except as specifically authorized by the conditional use permit.

Staff comment: The existing tap room for Indeed Brewery and the future reception meeting hall have hours of operation that exceed 10:00 p.m., as permitted through Business/Liquor Licensing regulations. The existing artist studios do not have limited hours of operation, unless they are open to the public. Therefore, the applicant has requested a variance of the TP Overlay District standards requiring that the parking lot be closed with a secured gate or other appropriate mechanism between 10:00 p.m. and 6:00 a.m.

- The parking lot shall at no time be used for outdoor sales, display or storage.

Staff comment: These activities are not proposed.

- Each entrance to and exit from such parking lot shall be located at least twenty (20) feet from any adjacent property located in a residence or office residence district.

Staff comment: The south curb cut is located 21 feet north of the residential property to the south of the existing alley.

- The parking lot shall be landscaped and screened pursuant to the provisions of [Chapter 530](#), Site Plan Review.

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Staff comment:

- Parking lots of more than four parking spaces are subject to the landscaping, screening and curbing requirements of Chapter 530, Site Plan Review.
- The zoning code requires that a seven-foot wide landscaped yard be provided along a public street, sidewalk or pathway when adjacent to a parking lot or a loading area. The applicant is proposing to install a four-foot wide landscaped yard along Monroe Street NE. Staff is recommending that the applicant provide a minimum of a seven-foot landscaped yard.
- Screening three feet in height and equal to 60 percent opacity is required around parking lots and loading areas in order to screen them from a public street, sidewalk or pathway. The applicant is proposing a four-foot high, ornamental fence along Monroe Street NE.
- Screening six feet in height and equal to 95 percent opacity is required along parking and loading facilities where abutting or across an alley from a residence or office residence district or a permitted or conditional residential use. The applicant is proposing to retain the existing six-foot high chain link fence along the north and east property lines adjacent to the vacant parcel and railroad property. Along the south property line, adjacent to the alley, the applicant is proposing to install a new four-foot high, ornamental fence in the required front yard and a chain link fence in the interior and rear yards. Staff is recommending that the applicant provide a consistent ornamental fence along the south property line, four feet in the required front yard, increasing to six feet at the interior and rear yards. Additionally, staff is recommending a three-foot high hedge be provided along the south property line in the required front yard, adjacent to the alley and a six-foot high hedge along the interior side and rear yards. When the existing chain link fence along the north and east property lines is in need of repair or replacement, staff is recommending a vinyl-coated chain link fence, six-feet in height.
- The zoning code requires that a seven-foot wide landscaped yard be provided along parking and loading facilities where abutting or across an alley from a residence or office residence district or a permitted or conditional residential use. The applicant's south property line abuts an alley and residential property. The applicant is proposing to install a nine-foot, two-inch wide landscaped yard along the south property line. The adjacent property to the north is zoned residential and the applicant will be required to provide additional shrubs in the seven-foot landscaped yard along the north property line.
- Not less than one tree shall be provided for each 25 linear feet, or fraction thereof, of parking or loading area lot frontage. The applicant is proposing to plant a tree at least every 25 feet along Monroe Street NE. In parking lots of 10 spaces or more, no parking space shall be located more than 50 feet from an on-site deciduous tree. This provision is being met. In addition, tree islands in parking lots must have a minimum width of 7 feet in any direction. This provision is being met.

VARIANCE: to reduce the front yard required setback along Monroe Street NE from 20 feet to approximately 4 feet to allow for a new surface parking located at 1529 ½ and 1531 Monroe Street NE.

Findings as required by the Minneapolis Zoning Code:

- 1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.**

Practical difficulties exist in complying with the ordinance due to unique circumstances of the property, including the location and uses of the adjacent properties. These circumstances have not been created by the applicant. The property located at 1531 Monroe Street NE is zoned R2B District and the district requires a minimum front yard setback of 20 feet. Surface parking stalls are not a permitted obstruction in the required front yard, which therefore, requires a variance. The applicant is requesting a variance to reduce the front yard setback to four feet to maximize the number of parking stalls provided for the Solar Arts Building. The adjacent property to the north is vacant and directly to the south of the property is an alley and a single-family dwelling setback approximately 14 feet to the front property line. The proposed parking is 32 feet from the adjacent structure to the south and will be angled to ensure cars will be parked with headlights directed to the north. The applicant is seeking an additional variance to reduce the required landscaped yard of seven feet along the front property line.

- 2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.**

The purpose of yard requirements is to provide for orderly development and use of land and to minimize conflicts among land uses by governing the location of accessory uses and structures. Adhering to the minimum district setback of 20 feet would require six parking stalls be eliminated from the proposed parking lot. The adjacent property to the north is vacant and directly to the south of the property is an alley and a single-family dwelling setback approximately 14 feet to the front property line. The proposed parking is 32 feet from the adjacent structure to the south and will be angled to ensure cars will be parked with headlights directed to the north. Staff has analyzed the proposed rezoning and conditional use permit above and determined that the proposed parking lot will allow for reasonable use of these properties and the Solar Arts Building consistent with the spirit and intent of the ordinance and comprehensive plan. The applicant is seeking an additional variance to reduce the required landscaped yard of seven feet along the front property line. Staff is recommending that the proposed site plan comply with the minimum landscaped yard requirement of seven feet along Monroe Street, which would require the removal of three parking stalls.

- 3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.**

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The property is south of a vacant parcel and west of a rail line owned and operated by the Santa Fe Railroad. The properties to the south and east are fully developed area. With the required landscaping and screening, the parking lot serving customers and employees of the Solar Arts Building is not expected to be injurious to the use and enjoyment of other property in the vicinity nor should it impede on possible future development. Staff is recommending compliance with the minimum seven-foot landscaped yard along the front property line, adjacent to Monroe Street NE. This would require the removal of three proposed stalls.

The site is served by existing infrastructure and would be accessed from two new curb cuts on Monroe Street NE to encourage one-way traffic through the parking lot. As proposed, traffic would enter at the north curb cut and exit via the south curb cut, both along Monroe Street NE. The Public Works Department will review the plans as part of the Preliminary Development Review process and will review the final plans for compliance with standards related to access and circulation, drainage, and sewer/water connections. The applicant would be required to work closely with the Public Works Department and the building code Plan Review during the duration of the development should the plan be approved. This would be required to ensure that all procedures are followed in order to comply with city and other applicable requirements.

VARIANCE: of the Transitional Parking Overlay District Standards (1) requiring the width of the parking lot not exceed seventy-five (75) feet; (2) requiring that the parking lot be closed with a secured gate or other appropriate mechanism between the hours of 10:00 p.m. and 6:00 a.m.; (3) requiring that the parking lot be landscaped and screened pursuant to the provisions of Chapter 530, Site Plan Review.

Findings as required by the Minneapolis Zoning Code for the variances:

- 1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.**

The applicant proposes to vary three of the TP Overlay District standards. The TP Overlay District was established to allow parking lots in residence and office residence districts when adjacent to a zoning district in need of additional parking for customers and employees. Parking lots in TP Overlay Districts are typically small in scale and subject to various standards including a location requirement which states that parcel on which the parking lot is located shall have a side lot line that abuts the zoning district served or shall be part of the zoning lot served; the widths of parking lots in the TP Overlay District are restricted to 75 feet; use is restricted to passenger automobiles; no outdoor sales, display or storage; entrances must be located 20 feet from adjacent property located in a residence/office residence district; the parking lot shall comply with landscaping and screening provisions in Chapter 530; and the parking lot must be closed with a secured gate or other appropriate mechanism between the hours of 10:00 p.m. and 6:00 a.m.

As proposed, the parking lot will not comply with the maximum width of 75 feet. This is due to the fact that the existing parcel at 1531 Monroe Street NE is 100 feet in width. This parcel is

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platted as one lot and has existed 100 feet in width since the time it was platted in the late 1800's. Staff finds that there is a practical difficulty in complying with the ordinance due to this unique circumstance of the parcel.

The proposed parking lot will not comply with the provision requiring that the parking lot be secured between the hours of 10:00 p.m. and 6:00 a.m. Practical difficulties exist in complying with the ordinance as it would not be practical to secure the portion of the parking lot located in the TP Overlay District with limited hours considering the hours of operation are set by Business/Liquor Licensing and the artist studios do not have a limitation on hours of operation, unless they are open to the public.

The zoning code requires that a seven-foot wide landscaped yard be provided along a public street, sidewalk or pathway when adjacent to a residence or office-residence district. The applicant is proposing to have a four-foot landscaped yard adjacent to the front property line along Monroe Street NE. Staff does not find that practical difficulty exists in this case to allow for a reduction in the required landscaped yard.

2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.

The applicant proposes to vary three of the TP Overlay District standards. The TP Overlay District was established to allow parking lots in residence and office residence districts when adjacent to a zoning district in need of additional parking for customers and employees. Parking lots in TP Overlay Districts are typically small in scale and subject to various standards including a location requirement which states that parcel on which the parking lot is located shall have a side lot line that abuts the zoning district served or shall be part of the zoning lot served.

The existing property is 100 feet in width and the applicant is proposing to utilize the full property in order to maximize the number of parking stalls to serve the Solar Arts Building. Staff finds that the property owner proposes to utilize the existing property in a reasonable manner consistent with the zoning code and comprehensive plan.

The proposal to vary the TP Overlay provision regarding the securing of the parking lot is reasonable and would be in keeping with the spirit and intent of the ordinance and comprehensive plan. The existing tap room and the proposed reception or meeting hall will have their hours of operation set by Business/Liquor Licensing. Through the liquor licensing process, additional conditions may be placed on the proposed use to ensure compatibility with adjacent uses and to prevent nuisance activity.

Staff finds that adhering to the minimum 7-foot landscaped yard requirement along the front property line will result in the loss of 3 parking stalls. The applicant will be able to provide 54 stalls in the proposed parking and this will allow for a reasonable use of the property consistent with the spirit and intent of the ordinance and the comprehensive plan.

- 3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.**

The property is south of a vacant parcel and west of a rail line owned and operated by the Santa Fe Railroad. The properties to the south and east are fully developed area. With the required landscaping and screening, the parking lot serving customers and employees of the Solar Arts Building is not expected to be injurious to the use and enjoyment of other property in the vicinity nor should it impede on possible future development. Staff is recommending compliance with the minimum landscaped yard along the front property line, adjacent to Monroe Street NE. This would require the removal of three proposed stalls.

VARIANCE: to increase the maximum amount of impervious surface allowed in the R2B district to allow for a new surface parking lot located at 1529 ½ and 1531 Monroe Street NE.

Findings as required by the Minneapolis Zoning Code:

- 1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.**

The maximum amount of impervious surface allowed in the R2B district is 65 percent of the lot area. The area of the site located in the R2B district is approximately 21,769 square feet, therefore not more than 14,150 square feet of impervious area is allowed in that area. However, the existing parcel at 1529 ½ Monroe Street NE has historically been part of the same zoning lot as 711 15th Avenue NE and is 100% impervious surface. The property at 1531 Monroe Street NE has approximately 8,655 square feet of impervious surface. A total of 17,415 square feet of impervious surfaces (80 percent of the R2B portion of the site) currently exists between the two properties and this is consistent with the percentage of impervious surface proposed. Approximately 3,265 square feet of additional pervious surfaces would need to be provided to comply with the district requirement. This would result in the loss of approximately 20 parking stalls. The Public Works Department will review the plans as part of the Preliminary Development Review process and will review the final plans for compliance with standards related to stormwater management to ensure compliance. Staff finds that practical difficulties exist, in this case, due to the existing condition and that the proposed surfacing, curbing and landscaping will provide stormwater management improvements.

- 2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.**

The maximum amount of impervious surface allowed in the R2B district is 65 percent of the lot area. This is to ensure compatibility of building footprints and to encourage on-site retention of

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stormwater. As previously mentioned, the site is out of compliance with the maximum impervious surface allowed on the property and the applicant is not proposing to increase the amount of impervious surface. Approximately 3,265 square feet of additional pervious surfaces would need to be provided to comply with the district requirement. This would result in the loss of approximately 20 parking stalls. The Public Works Department will review the plans as part of the Preliminary Development Review process and will review the final plans for compliance with standards related to stormwater management to ensure compliance. Further, the applicant is proposed stormwater techniques to ensure on-site retention of stormwater and direction of overflow through the proposed curb cuts towards the stormwater drains found in the public right-of-way. Therefore, staff finds that the applicant is proposing to utilize the property in a reasonable manner consistent with the spirit and intent of the zoning code and comprehensive plan.

- 3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.**

The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. As previously mentioned, the site is out of compliance with the maximum impervious surface allowed on the property. The proposed site plan would implement stormwater techniques to ensure on-site retention of stormwater and direction of overflow through the proposed curb cuts towards the stormwater drains found in the public right-of-way. In addition, 18 new canopy trees and 28 shrubs and native grasses in the required landscaped yards. The Public Works Department will review the plans as part of the Preliminary Development Review process and will review the final plans for compliance with standards related to stormwater management to ensure compliance. Therefore, if granted, the proposed variance will not be detrimental to the public health, safety or welfare of the general public or those utilizing the property or nearby properties.

VARIANCE: to reduce the required off-street parking requirement to allow for a new reception or meeting hall within an existing building.

Findings Required by the Minneapolis Zoning Code:

- 1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.**

The circumstances upon which the variance is requested are unique to the parcel of land, based on the existing location and bulk of the existing building. The existing uses in the Solar Arts Building meet the off-street parking requirement. The third floor is proposed to be changed from storage to a reception or meeting hall, which increases the required parking by 131 stalls. The applicant has prepared a Travel Demand Management Plan (TDMP) to address the possible

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traffic demands of the existing uses and proposed reception or meeting hall. The TDMP analyzed the available locations for off-street parking, availability of on-street parking within walking distance of the property and transportation alternatives including valet service, transit, bicycling and walking. In addition to providing the proposed parking lot, the applicant has an existing shared parking agreement with the property owner of Johnson Paper at 806 14th Avenue NE to use 31 stalls during their business off-hours. Finally, the applicant has an agreement with Hillcrest Development, the owners of 1100-1112 Quincy Street NE, to use the existing surface parking lot with 227 parking spaces for valet parking. The TDMP identifies that the valet parking use will be triggered with events at the proposed reception or meeting hall with occupancy of 270 people or more. However, the zoning code does not allow for an administrative reduction for a reception or meeting hall through the use of valet parking. Further, the property has 24 bicycle stalls, however, none of which are located within 50 feet of the principal entrance and cannot be applied to a bicycle incentive to reduce the required off-street vehicle parking.

The total required off-street parking for the existing and proposed uses at the Solar Arts Building is 162 stalls. The applicant is proposing to modify the existing parking lot at 711 15th Avenue NE to provide additional accessible parking and a total of 25 stalls. The shared parking agreement allows for 31 stalls. The proposed parking lot at 1529 ½ and 1531 Monroe Street NE would create 57 additional stalls. Therefore, the applicant is seeking a variance to reduce the minimum off-street parking requirement from 162 stalls to 113 stalls. The applicant is not able to supply additional parking based on the floor is of the existing structure or utilize the existing third floor without the parking variance. These circumstances have not been created by the applicant.

2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.

The intent of parking and loading regulations are established to recognize the parking and loading needs of uses and structures, to enhance the compatibility between parking and loading areas and their surroundings, and to regulate the number, design, maintenance, use and location of off-street parking and loading spaces and the driveways and aisles that provide access and maneuvering space. The regulations promote flexibility and recognize that excessive off-street parking conflicts with the city's policies related to transportation, land use, urban design, and sustainability. With the suggested site plan improvements, the applicant will be able to supply one hundred ten (110) off-street parking spaces between the north parking lot at 1529 and 1531 Monroe Street NE, 711 15th Avenue NE and 806 14th Avenue NE. One hundred ten stalls will be sufficient parking for Indeed Brewery, the artist studios, the proposed coffee shop and up to 277 occupants of the proposed reception meeting hall. As conditioned through the TDMP, valet parking will be required, free of charge, for events in the reception or meeting hall with 270 occupants or greater. Staff finds that the compliance with the travel demand management plan will allow for a reasonable use of the property that is consistent with the spirit and intent of the ordinance and comprehensive plan.

3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance

will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

Staff finds that the granting of this variance would not negatively alter the essential character or be injurious to the use or enjoyment of other property in the area, with compliance with the TDMP. The TDMP has additional provisions including designation of a transportation coordinator, providing free valet service and auditing of the transportation measure outlined in the Plan six (6) and twelve (12) months after the opening of the rental hall. The applicant expects that many of the patrons will be people that live in the neighborhood and would most likely bike, walk or use transit to arrive at the building. Further, the property has 24 bicycle stalls, however, none of which are located within 50 feet of the principal entrance and cannot be applied to a bicycle incentive to reduce the required off-street vehicle parking. Due to the location of the bicycle parking, staff is recommending that the applicant provide wayfinding signage to direct bicyclists to the parking areas, as they are not located within 50 feet of the principal entrance or entirely visible from the right-of-way. Finally, staff finds that the proposed parking variance will not be detrimental to the health, safety or welfare of the general public.

RECOMMENDATIONS:

Recommendation of the Department of Community Planning and Economic Development for the petition to rezone:

The Department of Community Planning and Economic Development recommends that the City Planning Commission and City Council adopt the above findings and **approve** the petition to rezone 1529 1/2 and 1531 Monroe Street NE to add the TP Transitional Parking Overlay District.

Recommendation of the Department of Community Planning and Economic Development for the Conditional Use Permit:

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit to allow a surface parking lot located at 1529 ½ and 1531 Monroe Street NE serving customers and employees of the Solar Arts Building located at 711 15th Avenue NE., subject to the following conditions:

1. Approval of the final site, landscape and floor plans by the Department of Community Planning and Economic Development.
2. All site improvements shall be completed by December 2, 2015, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within two years of approval.

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4. The use of the parking lot shall be restricted to the parking of passenger automobiles only. No commercial vehicles shall be parked or stored.
5. The parking lot shall at no time be used for outdoor sales, display or storage.
6. Each entrance to and exit from such parking lot shall be located at least twenty (20) feet from any adjacent property located in a residence or office residence district. Signage shall be provided directing one-way traffic through the parking lot.
7. The parking lot shall be landscaped and screened pursuant to the provisions of [Chapter 530](#), Site Plan Review.
8. Screening, not less than 3 feet in height and less than 60% opaque is required along Monroe Street NE and along the north and south property interior property line in the required front yard. Screening, not less than 6 feet high and 95% opaque, is required for the remainder of the south property line and along the rear yard.
9. The applicant shall provide a three-foot high hedge and four-foot high ornamental fence along the south property line in the required front yard as required by section 530.170 of the zoning code. Along the south property line in the required interior and rear yards, a six-foot high hedge and six-foot high ornamental shall be provided as required by section 530.170 of the zoning code.
10. The applicant shall provide a 6-foot high vinyl-coated, along the north and east property lines when the existing chain link fence along the north and east property lines is in need of repair or replacement.

**Recommendation of the Department of Community Planning and Economic Development
Department for the Variance:**

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the variance to reduce the front yard requirement along Monroe Street NE from 20 feet to **7 feet** to allow for a new surface parking located at 1529 ½ and 1531 Monroe Street NE.

**Recommendation of the Department of Community Planning and Economic Development
Department for the Variance:**

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the variance of the Transitional Parking Overlay District standards requiring that the width of the parking not exceed seventy-five (75) feet.

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**Recommendation of the Department of Community Planning and Economic Development
Department for the Variance:**

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the variance of the Transitional Parking Overlay District standards requiring that the parking lot be closed with a secured gate or other appropriate mechanism between the hours of 10:00 p.m. and 6:00 a.m.

**Recommendation of the Department of Community Planning and Economic Development
Department for the Variance:**

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **deny** the variance of the Transitional Parking Overlay District standards requiring that the parking lot be landscaped and screened pursuant to the provisions of Chapter 530, Site Plan Review.

**Recommendation of the Department of Community Planning and Economic Development
Department for the Variance:**

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the variance to increase the maximum amount of impervious surface allowed in the R2B district to allow for a new surface parking lot located at 1529 ½ and 1531 Monroe Street NE.

**Recommendation of the Department of Community Planning and Economic Development
Department for the Variance:**

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the variance to reduce the required off-street parking requirement from 162 spaces to 110 spaces, subject to the following conditions:

1. Approval of the final Travel Demand Management Plan by the Departments of Community Planning and Economic Development and Public Works.
2. Bicycle racks shall be provided to accommodate no fewer than twenty-four (24) bicycles on the property. The applicant shall provide wayfinding signage directing bicyclists to the bicycle parking.

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Attachments:

1. Preliminary Development Review Report
2. Travel Demand Management Plan
3. Statement of use and findings
4. Letters to Council Member Reich and Logan Park Neighborhood Association
5. Correspondence
6. Zoning map
7. Future land use map
8. Survey
9. Site plan – all properties
10. Site plan – 1529 ½ and 1531 Monroe Street NE
11. Photos of the site and surrounding area